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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50985-2022

Date of Decision:- 16.03.2023

RAJDEEP SINGH

....Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Ayush Gupta, Advocate for the petitioner.

Mr. M.S.Joshi, Addl. A.G. Punjab.

Mr. Inderpal Singh Parmar, Advocate for the respondent No. 2 /
complainant.

AMARJOT BHATTI, J. (Oral)

The petitioner – Rajdeep Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 0124 dated 12.10.2022, under Sections 406 and 498-A of IPC, registered at Police Station Women, District Police Commissionerate, Ludhiana.

As per the facts of the case, the complainant – Jasmeet Kaur filed a written complaint against her husband Rajdeep Singh and others alleging that she got married with Rajdeep Singh on 22.05.2022 at Ludhiana. A roka ceremony and ring ceremony took place in which expensive gold ornaments, clothes, gifts, shagun etc were given. The parents of complainant had given Hyundai Verna car to accused No. 1 on 21.05.2022 at the time of ring ceremony. Her parents had spent one crore rupees approximately at her marriage. After marriage, the accused persons turned out to be greedy persons. They openly stated that they were expecting Toyota Fortuner car. They started putting pressure on her to

bring Fortuner car from her parents or to bring Rs. 50 lacs for the same. Her parents were not in a position to satisfy this demand. The accused No. 1 was fully under the control of accused No. 2 to 5. She was continuously taunted and maltreated in the matrimonial home. Her husband indulged in sexual activity for long time without bothering about her health. On account of their demand for dowry, she was beaten up and she suffered injuries. She informed her family members and on this, her brother Ramandeep Singh came to her matrimonial home and she was turned out of the house along with her brother in only three wearing clothes in the evening by mother-in-law. She was medically examined. All her dowry articles are in possession of the accused persons. She was not permitted to use the same nor they have returned it. Ultimately, the matter was reported to the police and the present case has been registered.

Learned counsel for the petitioner argued that he has already joined the investigation. The allegations levelled against him are false. His anticipatory bail application was wrongly declined by the learned trial Court vide order dated 27.10.2022, Annexure P-2. He has placed on record the photographs after the marriage which are Annexure P-4. She was kept happily in the matrimonial home. A false MLR has been prepared by the complainant. Even otherwise, they have already handed over the dowry articles which are taken into police possession. Now, they are not in possession of any other article. It is prayed that *ad interim* bail already granted in favour of the petitioner may be confirmed.

The bail application is opposed by learned counsel representing the State. It is pointed out that some of the dowry articles are recovered but still some of the gold ornaments are yet to be recovered, which are mentioned in the list provided by the complainant. As per the version of

complainant, her documents, degrees, certificates of educational qualification and Passport are still in the matrimonial home and the same are not handed over by the petitioner. Therefore, the petitioner is not entitled to the relief of anticipatory bail.

I have considered the arguments and have gone through the record. There is a recovery memo dated 17.10.2022, vide which 23 items were taken into police possession, which is duly signed by the complainant as well as the present petitioner. The complainant insisted that gold ornaments mentioned in the list and the aforesaid documents are yet to be recovered. However, this fact is denied by the learned counsel for the petitioner. It is pointed out that the said articles are not in his possession. The fact remains that the petitioner has joined the investigation and handed over the dowry articles as mentioned in the recovery memo. It is matter of evidence before the trial Court, if some of the articles referred above were entrusted to the petitioner or the same were embezzled. Considering the aforesaid facts, I find merits in the anticipatory bail application filed by the petitioner and the *interim* bail already granted in favour of the petitioner Rajdeep Singh vide order dated 14.11.2022 stands confirmed, subject to the conditions as enshrined under Section 438(2) Cr.P.C.

The petition is, accordingly, accepted.

16.03.2023

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No